

EL34990 1162US

**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL (Small Entity)**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

Docket No.

GTW-048-99

☐ **DUPLICATE** (Check box if applicable)

First Named Inventor

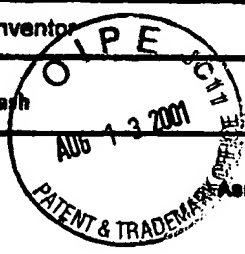
Examiner

Group/Art Unit

George Tash

R. Fetsuga

3751



Address to:

Assistant Commissioner for Patents

Box CPA

Washington, D.C. 20231

AS FILED

This is a request for filing a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 08/637,894 filed on April 25, 1996 and entitled:

IMPROVED TOILET AND SINK DRAIN PLUNGER

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent is enclosed.
5. ☒ Small Entity Status:
 - a. ☐ A small entity statement is enclosed.
 - b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
6. ☐ The fee for this application is calculated as follows:

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 AUG 16 2001
 TC 3700 MAIL ROOM

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	17	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$39.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$380.00
TOTAL FILING FEE					\$380.00

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7. ☐ The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No.

- ☐ fees required under 37 C.F.R. 1.16.
- ☐ fees required under 37 C.F.R. 1.17.
- ☐ fees required under 37 C.F.R. 1.18.



8. ☒ A check in the amount of \$380.00 is enclosed.

9. ☐ An Information Disclosure Statement (IDS) is enclosed:

- a. ☐ PTO-1449
- b. ☐ Copies of IDS Citations

10. ☐ Also enclosed:

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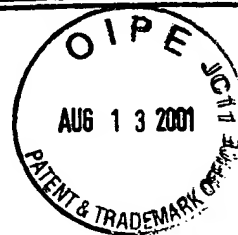
11. ☒ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

Richard T. Lyon, LYON, HARR & DEFRANK, LLP
300 Esplanade Drive
Suite 800
Oxnard, CA 93030
Telephone: (805) 278-8855
Facsimile: (805) 278-8064

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

NOTES

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FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

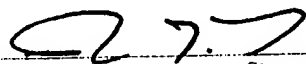
C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: 5-1-99



Signature

Richard T. Lyon

Typed or printed name

Registration No. 37,385

Registration Number (if applicable)

- ☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record

cc:

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PATENT
P-2127-40 CIP
Docket No.: GTW-048-99

13/8
9-24-01
H.P.B.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Tash

Group Art Unit: 3751

Entitled: IMPROVED TOILET AND
SINK DRAIN PLUNGER

Examiner: R. Fetsuga

Serial No.: 08/637,894

Filing Date: April 25, 1996

PRELIMINARY AMENDMENT

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Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Before taking any action in this case, please amend the application as follows:

IN THE CLAIMS:

Please amend Claims 1,9 and 10 as follows:

Claim 1 (Three Times Amended).

A toilet and sink drain plunger

b1
Sub
E3